



1FW/1648

Dkt. 51320-AA/JPW/AJD/BWSL

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: G. P. Allaway et al.
Serial No.: 09/724,105 Examiner: Bao Qun Li
Filed: November 28, 2000 Group Art Unit: 1648
For: USES OF A CHEMOKINE RECEPTOR FOR INHIBITING
HIV-1 INFECTION

1185 Avenue of the Americas
New York, New York 10036
July 30, 2004

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

This Supplemental Information Disclosure Statement is submitted under 37 C.F.R. §1.97(b)(3) to supplement the Information Disclosure Statement filed on January 9, 2002 in connection with the above identified application.

In accordance with their duty of disclosure under 37 C.F.R. §1.56, applicants direct the Examiner's attention to the following references which are listed on the attached Form PTO-1449 (Exhibit A), and certain of which are attached hereto as Exhibits 1-39:

1. U.S. Patent No. 5,994,515, issued November 30, 1999 to J.A. Hoxie (Exhibit 1);
2. U.S. Patent No. 6,107,019, issued August 22, 2000 to G.P. Allaway et al. (Exhibit 2);
3. U.S. Patent No. 6,344,545 B1, issued February 5, 2002 to

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G.P. Allaway et al. (Exhibit 3);

4. U.S. Patent No. 6,548,636 B2, issued April 15, 2003 to T. Dragic and W.C. Olson (Exhibit 4);
5. U.S. Patent No. 6,759,519 issued July 6, 2004 to Y. Li and S. M. Ruben (Exhibit 5);
6. Pending claims in G.P. Allaway et al., U.S. Serial No. 09/888,938, filed June 25, 2001 (Exhibit 6);
7. Allowed claims in T. Dragic and W.C. Olson, U.S. Serial No. 10/323,314, filed December 19, 2002 (Exhibit 7);
8. G.P. Allaway et al., U.S. Serial No. 08/627,684, filed April 2, 1996 (now abandoned) (Exhibit 8);
9. G.P. Allaway et al., U.S. Provisional Application No. 60/014,532, filed April 2, 1996;
10. G.P. Allaway et al., U.S. Serial No. 08/663,616, filed June 14, 1996 (now abandoned) (Exhibit 9);
11. G.P. Allaway et al., U.S. Provisional Application No. 60/019,715, filed June 14, 1996;
12. G.P. Allaway et al., U.S. Serial No. 08/673,682, filed June 25, 1996 (now abandoned) (Exhibit 10);
13. G.P. Allaway et al., U.S. Serial No. 08/665,090, filed June 14, 1996 (now abandoned) (Exhibit 11);

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14. G.P. Allaway et al., U.S. Provisional Application No. 60/019,941, filed June 14, 1996;
15. G.P. Allaway et al., U.S. Serial No. 08/874,570, filed June 13, 1997 (now abandoned) (**Exhibit 12**);
16. G.P. Allaway et al., U.S. Serial No. 08/874,618, filed June 13, 1997 (now abandoned) (**Exhibit 13**);
17. Pending claims in G.P. Allaway et al., U.S. Serial No. 09/852,238, filed May 9, 2001, and published as U.S. Patent Application Publication No. 2004/0086528 (**Exhibit 14**);
18. W.C. Olson and P.J. Maddon, U.S. Serial No. 09/212,793, filed December 16, 1998 (now abandoned);
19. W.C. Olson and P.J. Maddon, U.S. Provisional Application No. 60/112,532, filed December 16, 1998;
20. W.C. Olson and P.J. Maddon, U.S. Serial No. 09/464,902, filed December 16, 1999 (**Exhibit 15**);
21. W.C. Olson and P.J. Maddon, U.S. Serial No. 09/594,983, filed June 15, 2000 (**Exhibit 16**);
22. W.C. Olson et al., U.S. Serial No. 09/663,219, filed September 15, 2000 (**Exhibit 17**);
23. W.C. Olson et al., U.S. Provisional Application No.

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60/266,738, filed February 6, 2001 (**Exhibit 18**);

24. W.C. Olson and P.J. Maddon, U.S. Patent Application Publication No. 2002/0146415 A1, published October 10, 2002 (**Exhibit 19**);
25. W.C. Olson and P.J. Maddon, U.S. Provisional Application No. 60/282,380, filed April 6, 2001 (**Exhibit 20**);
26. W.C. Olson and P.J. Maddon, U.S. Patent Application Publication No. 2002/0106374 A1, published August 8, 2002 (**Exhibit 21**);
27. W.C. Olson and P.J. Maddon, U.S. Serial No. 10/081,128, filed February 22, 2002 (now abandoned) (**Exhibit 22**);
28. W.C. Olson and P.J. Maddon, U.S. Provisional Application No. 60/358,886, filed February 22, 2002;
29. William C. Olson and Paul J. Maddon, U.S. Publication No. 2003/0044411 A1, published March 6, 2003 (**Exhibit 23**);
30. T. Dragic and W.C. Olson, U.S. Patent Application Publication No. 2003/0092632 A1, published May 15, 2003 (**Exhibit 24**);
31. W.C. Olson et al., U.S. Patent Application Publication No. 2003/0228306 A1, published December 11, 2003 (**Exhibit 25**);
32. Pending claims in W.C. Olson and P.J. Maddon, U.S. Serial

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No. 10/763,545, filed January 23, 2004 (**Exhibit 26**);

33. Pending claims in G.P. Allaway et al., U.S. Serial No. 09/460,216, filed December 13, 1999 (**Exhibit 27**);

34. PCT International Application Publication No. WO 96/41020, published December 19, 1996 (**Exhibit 28**);

35. PCT International Application Publication No. WO 97/26009, published July 24, 1997 (**Exhibit 29**);

36. PCT International Application Publication No. WO 97/37005, published October 27, 1997 (**Exhibit 30**);

37. PCT International Application Publication No. WO 97/47319, published December 18, 1997 (**Exhibit 31**);

38. PCT International Application Publication No. WO 97/49424, published December 31, 1997 (**Exhibit 32**);

39. PCT International Application Publication No. WO 98/56421, published December 17, 1998 (**Exhibit 33**);

40. PCT International Application Publication No. WO 00/35409, published June 22, 2000 (**Exhibit 34**);

41. PCT International Application Publication No. WO 01/64710, published September 7, 2001 (**Exhibit 35**);

42. PCT International Application Publication No. WO 02/22077, published March 21, 2002 (**Exhibit 36**);

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- 43. PCT International Application Publication No. WO 02/068608, published September 6, 2002 (**Exhibit 37**);
- 44. PCT International Application Publication No. WO 02/083172, published October 24, 2002 (**Exhibit 38**); and
- 45. PCT International Application Publication No. WO 03/072766, published September 4, 2003 (**Exhibit 39**).

The Examiner is respectfully requested to make these references of record in the present application by initialing and returning a copy of the enclosed Form PTO 1449.

37 C.F.R. §1.98(a)(2)(iii) provides that an Information Disclosure Statement shall include, for each cited pending U.S. application, a legible copy of the application specification including the claims and any drawing of the application, or that portion of the application which caused it to be listed including any claims directed to that portion. Under 37 C.F.R. §1.98(c), when the disclosures of two or more patents or publications listed in an Information Disclosure Statement are substantively cumulative, a copy of one of the patents or publications may be submitted without copies of the other patents or publications, provided it is stated that these other patents or publications are cumulative. In accordance with 37 C.F.R. §1.98(c), copies of certain references listed above are not being submitted herewith as they are cumulative.

Specifically, U.S. Serial No. 09/888,938, filed on June 25,

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2001, is a continuation of U.S. Serial No. 08/831,823, filed April 2, 1997 which issued as U.S. Patent No. 6,344,545 B1 (reference 3). Therefore, a copy of U.S. Serial No. 09/888,938 is not attached hereto. However, in accordance with 37 C.F.R. §1.98(a)(2)(iii), a copy of the claims pending in U.S. Serial No. 09/888,938 is attached hereto as Exhibit 6.

U.S. Serial No. 10/323,314, filed December 19, 2002, is a continuation of U.S. Serial No. 09/796,202, filed February 28, 2001 which issued as U.S. Patent No. 6,548,636 B2 (reference 4). Therefore, a copy of U.S. Serial No. 10/323,314 is not attached hereto. However, in accordance with 37 C.F.R. §1.98(a)(2)(iii), a copy of the claims allowed in U.S. Serial No. 10/323,314 is attached hereto as Exhibit 7.

U.S. Serial No. 09/852,238 (published May 6, 2004 as U.S. Patent Application Publication No. 2004/0086528), is a continuation of the subject application, U. S. Serial No. 09/724,105, filed November 28, 2000, which is a continuation of U.S. Serial No. 08/874,618, filed June 13, 1997 (reference 16). Therefore, copies of U. S. Serial No. 09/852,238 are not attached hereto. However, in accordance with 37 C.F.R. §1.98(a)(2)(iii), a copy of the claims pending in U.S. Serial No. 09/852,238 is attached hereto as Exhibit 14.

U.S. Serial No. 10/763,545, filed January 23, 2004, is a continuation of U.S. Serial No. 09/594,983, filed June 15, 2000 (reference 21). Therefore, a copy of U.S. Serial No. 10/763,545 is not attached hereto. However, in accordance with 37 C.F.R. §1.98(a)(2)(iii), a copy of the claims pending in U.S. Serial No. 10/763,545 is attached hereto as Exhibit

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26.

U.S. Serial No. 09/460,216, filed December 13, 1999, is a national stage application of PCT International Application Publication No. WO 98/56421, published December 17, 1998, (reference 39). Therefore, a copy of U.S. Serial No. 09/460,216 is not attached hereto. However, in accordance with 37 C.F.R. §1.98(a)(2)(iii), a copy of the claims pending in U.S. Serial No. 09/460,216 is attached hereto as Exhibit 27.

References 8 and 9 are cumulative to each other since each contains an identical disclosure. Therefore, a copy of reference 9 is not enclosed.

References 10 and 11 are cumulative to each other since each contains an identical disclosure. Therefore, a copy of reference 11 is not enclosed.

References 13 and 14 are cumulative to each other since each contains an identical disclosure. Therefore, a copy of reference 14 is not enclosed.

References 18, 19, and 20 are cumulative to each other since each contains an identical disclosure except that reference 20 contains an additional paragraph at the beginning of the application claiming the benefit of an earlier application, U.S. Provisional Application No. 60/112,532 (reference 19), and also provides the ATCC Accession Number for the PA10 antibody, which Accession Number is not provided in references 18 and 19. Therefore, copies of references 18 and 19 are not

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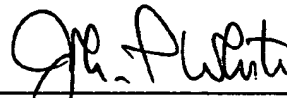
enclosed.

References 27 and 28 are cumulative to each other since each contains an identical disclosure. Therefore, a copy of reference 28 is not enclosed.

If a telephone conference would be of assistance in advancing prosecution of the subject application, applicants' undersigned attorney invites the Examiner to telephone him at the number provided below.

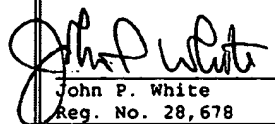
Pursuant to 37 C.F.R. §1.97(b)(3), no fee is deemed necessary in connection with the filing of this Supplemental Information Disclosure Statement. However, if any fee is required, authorization is hereby given to charge the amount of any such fee to Deposit Account No. 03-3125.

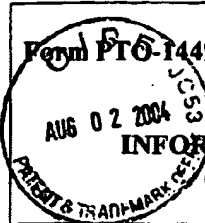
Respectfully submitted,



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I hereby certify that this correspondence is being deposited this date with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to:
Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

 7/30/04
John P. White Date
Reg. No. 28,678

	U.S. Department of Commerce Patent and Trademark Office		Atty. Docket No. 51320-AA/JPW/AJD/BWSL	Serial No. 09/724,105
	Applicant(s) G. P. Allaway et al.			
	Filing Date November 28, 2000	Art Unit 1648		

INFORMATION DISCLOSURE CITATION
(Use several sheets if necessary)

U.S. PATENT DOCUMENTS

Examiner Initials	Exh. No.	Document Number	Date	Name	Class	Subclass	Filing Date If Appropriate
	1	5 9 9 4 5 1 5	11/30/99	Hoxie			
	2	6 1 0 7 0 1 9	08/22/00	Allaway et al.			
	3	6 3 4 4 5 4 5	02/05/02	Allaway et al.			
	4	6 5 4 8 6 3 6	04/15/03	Dragic et al.			
	5	6 7 5 9 5 1 9	07/06/04	Li et al.			
	6	Pending Claims in 09/888,938		Allaway et al.			06/25/01
	7	Allowed Claims in 10/323,314		Dragic et al.			12/19/02
	8	08 6 2 7 6 8 4		Allaway et al.			04/02/96
		60 0 1 4 5 3 2		Allaway et al.			04/02/96
	9	08 6 6 3 6 1 6		Allaway et al.			06/14/96
		60 0 1 9 7 1 5		Allaway et al.			06/14/96
	10	08 6 7 3 6 8 2		Allaway et al.			06/25/96
	11	08 6 6 5 0 9 0		Allaway et al.			06/14/96

FOREIGN PATENT DOCUMENTS

		Document Number	Date	Country	Class	Subclass	Translation	
							Yes	No
	28	9 6 4 1 0 2 0	10/27/97	PCT				
	29	9 7 2 6 0 0 9	07/24/97	PCT				
	30	9 7 3 7 0 0 5	10/27/97	PCT				
	31	9 7 4 7 3 1 9	01/07/98	PCT				
✓	32	9 7 4 9 4 2 4	12/31/97	PCT				
✓	33	9 8 5 6 4 2 1	12/17/98	PCT				
✓	34	0 0 3 5 4 0 9	06/22/00	PCT				
✓	35	0 1 6 4 7 1 0	09/07/01	PCT				
	36	0 2 2 2 0 7 7	03/21/02	PCT				

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

EXAMINER	DATE CONSIDERED
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*EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP § 609: Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

AUG 02 2004

Sheet 2 of 2

Form PTO 1449

U.S. Department of Commerce
Patent and Trademark OfficeAtty. Docket No.
51320-AA/JPW/AJD/BWSLSerial No.
09/724,105Applicant(s)
G. P. Allaway et al.**INFORMATION DISCLOSURE CITATION**
(Use several sheets if necessary)Filing Date
November 28, 2000Art Unit
1648**U.S. PATENT DOCUMENTS**

Examiner Initials	Exh. No.	Document Number	Date	Name	Class	Subclass	Filing Date If Appropriate
		60 0 1 9 9 4 1		Allaway et al.			06/14/96
	12	08 8 7 4 5 7 0		Allaway et al.			06/13/97
	13	08 8 7 4 6 1 8		Allaway et al.			06/13/97
	14	Pending Claims in 09/852,238		Allaway et al.			05/09/01
		09 2 1 2 7 9 3		Olson et al.			12/16/98
		60 1 1 2 5 3 2		Olson et al.			12/16/98
	15	09 4 6 4 9 0 2		Olson et al.			12/16/99
	16	09 5 9 4 9 8 3		Olson et al.			06/15/00
	17	09 6 6 3 2 1 9		Olson et al.			09/15/00
	18	60 2 6 6 7 3 8		Olson et al.			02/06/01
	19	2002/0146415	10/10/02	Olson et al.			
	20	60 2 8 2 3 8 0		Olson et al.			04/06/01
	21	2002/0106374	08/08/02	Olson et al.			
	22	10 0 8 1 1 2 8		Olson et al.			02/22/02
		60 3 5 8 8 8 6		Olson et al.			02/22/02
	23	2003/0044411	03/06/03	Olson et al.			
	24	2003/0092632	05/15/03	Dragic et al.			
	25	2003/0228306	12/11/03	Olson et al.			
	26	Pending Claims in 10/763,545		Olson et al.			01/23/04
	27	Pending Claims in 09/460,216		Allaway et al.			12/13/99

FOREIGN PATENT DOCUMENTS

		Document Number						Date	Country	Class	Subclass	Translation	
												Yes	No
	37	02	0	6	8	6	0	8	09/06/02	PCT			
	38	02	0	8	3	1	7	2	10/24/02	PCT			
	39	03	0	7	2	7	6	6	09/04/03	PCT			

EXAMINER**DATE CONSIDERED**

*EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP § 609: Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.